

CIVIL SOCIETY COALITION ON HUMAN RIGHTS AND CONSTITUTIONAL LAW



WE URGE ALL UGANDANS TO RESPECT AND UPHOLD HUMAN RIGHTS FOR ALL UGANDANS

The Anti-Homosexuality Bill is back in Parliament, despite three years of domestic and international outcry. If passed, it is the Bill which would entrench a complete disregard and disrespect for the principle of Human Rights for all Ugandans.

Now is the time to Kill the Bill once and for all - before it kills your mothers, fathers, sons, daughters, brothers and sisters!

The Anti-Homosexuality Bill (AHB) – Know the Facts!

Uganda is ...

A country grounded in a strong constitution and thriving on the rule of law

The Anti-Homosexuality Bill is not constitutional. It violates the Constitution and subjects the country to the beliefs of a few, rather than the laws of a nation. The following clauses violate Uganda's constitution and the international laws to which we are party:

- The prohibition of homosexuality in the opening paragraph and Clauses 2, 15, 16, and 17 of the bill violates the constitutional rights to privacy, to equality and to non-discrimination.
- Clauses 5 and 6 erroneously label "victims" of homosexuality. However, there can be no victim where there is consenting sexual activity between same-sex adults.
- Clause 13 violates the rights to freedom of speech, expression, association, and assembly contained in Article 29 of the 1995 Constitution.
- Clause 18 is against Article 287 of the 1995 Constitution.
- Clauses 4, 7, and 8 violate the International Covenant on Civil and Political Rights which obliges States to protect the right to privacy by not criminalizing sexual activity between consenting same-sex adults.

A country where leaders protect, listen and represent each and every citizen's issues without stigmatization and prejudice.

Since 2009 after the bill was introduced, we have monitored with concern an increased level of hate speech and active calls for discrimination from different institutional leaders towards the Sexual and Gender minorities in Uganda. Most of these institutional leaders have unfortunately been speaking from an uninformed point of view, with total disregard for the adverse effects their statements in public have on a group that already faces stigmatization in every area of their lives. As leaders, the public follows your counsel, they listen to you, it is important that you send out a strong message of reconciliation and protection of any minority group, however unpopular it is.

A country that recognizes the equality of all human beings and outlaws discrimination.

The AHB erodes the values of our nation by providing for selective recognition of human rights. Uganda believes in respect and non-violence for all citizens. This bill openly provides for targeted discrimination of individuals. We need to draw the line – today it is one group, tomorrow it will be another group/ ethnicity/ religion/ sex. Equal protection under the law for everybody is what will take us to greater heights as Uganda!

A peaceful and hospitable country with a positive and non-violent culture.

We are a country that draws strength in our diversity. Our culture is one of respect, tolerance and non-violence. We cannot accept fueling sentiments of hatred and persecution in the name of culture. The AHB is a threat to the peaceful co-existence of our diverse country and a breeding ground for other forms of discrimination and intolerance. Persecution of this kind has no place in any community guided by the values of loving one's neighbor.

A country that prioritizes the future of our children and development of our nation

The AHB diverts attention from the critical development priorities of the country. By making fraudulent links between homosexuality and criminal offences, it undermines the nation's ability to find real solutions to real problems. For example, in a 2005 study 98% of all children interviewed reported experiencing physical and emotional violence. The study further showed that the manifestation on violence depended on sex, age and social status of the child. The majority of child sexual abuse is perpetrated by heterosexuals, and all child abuse is a criminal offence of the highest gravity whether committed as a heterosexual or homosexual act. What we need is to protect all our children from all forms of sexual violence by strengthening the Children's Act: in its entire 68 pages the current act makes no mention of sexual abuse or molestation.

The Anti-Homosexuality Bill would NOT protect the vast majority of Ugandan children who are at risk of abuse by heterosexual adults.

A country that acts based on reason and evidence

There is no evidence to support the premise of the Bill, i.e. the existence of promotion and recruitment into homosexuality in Uganda. The Bill is rooted in biased judgments and spurious accusations rather than facts and reality. Basing an entire bill on misinformation is unacceptable!

A country that protects its citizens, not harms them

The AHB will cause damage to its citizens in innumerable unjust ways including unlawful prosecution and institutional discrimination, leading to family rejection, bullying, and high suicide rates. Is this the Uganda we want for our children and relatives?

A country that is working hard to curtail the spread of HIV/AIDS .

Standard public health practice to curtail HIV/AIDS has long recognized that stigmatizing people and treating them as criminals frightens them away from coming forward for treatment and information that can ensure that they engage in safe sex practices. Uganda's rates of HIV infection among men who have sex with men are almost twice as high as the national average of 7.3%. Unlike other African countries that have aggressively sought to reach vulnerable populations with services and support and that are reporting declining rates of new infections, Uganda's HIV incidence is rising, triggering concern and criticism.

We urge all Ugandans to strongly oppose this bill and to let your Members of Parliament who are attempting to bring this legislation into law know that you do not support their actions. Human rights are human rights, however unpopular a group is, and we call upon all the concerned citizens to stand up for these rights. We urge all persons concerned with protecting our children from sexual abuse by predatory adults to insist on amendments to the Children's Act so that it can protect all Uganda's future generations.

Vote NO for the Anti-Homosexuality Bill and YES to Human Rights for all!

For further details: www.ugandans4rights.org

